



**MINUTES
BOARD OF ZONING APPEALS
VIRGINIA BEACH, VIRGINIA
JANUARY 3, 2018**

Chairman Richard Garriott , called to order the **Board of Zoning Appeals Board** meeting in the City Council Chambers, City Hall Building, Virginia Beach Municipal Center, on Wednesday, January 3, 2018.

The Board members' staff briefing, was held at 1:15p.m. in the City Managers Conference Room as to information pertaining to the agenda of January 3, 2018.

Board Members Present: Richard Garriott, Thomas Holland, Elizabeth Kovner, James Oglesby, Harry Purkey, Jr., Randy Sutton, and David Whitley.

Administrative Business:

- Resolution to Schedule Monthly Meetings for 2018

The Board of Zoning Appeals passed a motion unanimously by a recorded vote of 7-0 to approve the resolution to schedule monthly meetings for 2018.

AYE 7 NO 0 ABSTAIN 0 ABSENT 0

**GARRIOTT AYE
HOLLAND AYE
KOVNER AYE
OGLESBY AYE
PURKEY AYE
SUTTON AYE
WHITLEY AYE**

Case 2017-BZA-00073: Krish Enterprises, LLC a variance to a 3-foot (east) side yard setback instead of 15-feet as required; and to waive Category IV landscape screening as required when adjoining an apartment district for a proposed building addition **580 N BIRDNECK RD** Zoning: B2 GPIN: 2417-69-0570

Board Action: APPROVED WITH 2 CONDITIONS ON JANUARY 3, 2018

Conditions:

1. The proposed building must be constructed in substantial adherence to the submitted site and building elevation entitled "Proposed Addition to 580 North Birdneck Road."
2. Including the area encompassed in the proposed building addition, all required parking shall be provided on site.

Eddie Bourdon, Attorney with Sykes Bourdon Ahern & Levy appeared before the Board representing the applicant.

There was no opposition.

A motion was made by Mr. Sutton, seconded by Mr. Oglesby to approve the variance with 2 conditions. All voted for the motion.

AYE 7 NO 0 ABSTAIN 0 ABSENT 0

**GARRIOTT AYE
HOLLAND AYE
KOVNER AYE
OGLESBY AYE
PURKEY AYE
SUTTON AYE
WHITLEY AYE**

Case 2017-BZA-00075: Shana Paul a variance to allow a total of 11 off-street parking spaces instead of 30 off-street parking spaces as required for a shopping center containing at least 1 acre or more than 4 tenants **2472 PLEASURE HOUSE RD** Zoning: B2 GPIN: 1570-50-2959

Deferred to March 7, 2018

Case 2017-BZA-00076: Ocean Bay Homes, Inc. a variance to a 16-foot rear yard setback instead of 20-feet as required for a proposed single-family dwelling **500 25TH ST** Zoning: A12 GPIN: 2417-99-6690

Deferred to February 7, 2018

Case 2017-BZA-00077: Ocean Bay Homes, Inc. a variance to a 16-foot rear yard setback instead of 20-feet as required for a proposed single-family dwelling **502 25TH ST** Zoning: A12 GPIN: 2417-99-6690

Deferred to February 7, 2018

Case 2017-BZA-00078: Ocean Bay Homes, Inc. a variance to a 13-foot rear yard setback instead of 20-feet as required for a proposed single-family dwelling **504 25TH ST** Zoning: A12 GPIN: 2417-99-6690

Deferred to February 7, 2018

Case 2017-BZA-00079: City of Virginia Beach to a '0' foot front yard setback for a 6 foot tall fence and to waive the Category I Landscaping **5873 PICKERING ST** GPIN: 1468-10-7118

Board Action: APPROVED WITH 1 CONDITION ON JANUARY 3, 2018

Conditions:

1. The fence shall be maintained as to be structurally sound and free of rust or other such weathering.

Kevin Kemp, Zoning Administrator appeared before the Board representing the City.

There was no opposition.

A motion was made by Mr. Holland, seconded by Mr. Oglesby to approve the variance with 1 condition. All voted for the motion.

AYE 7 NO 0 ABSTAIN 0 ABSENT 0

**GARRIOTT AYE
HOLLAND AYE
KOVNER AYE
OGLESBY AYE
PURKEY AYE
SUTTON AYE
WHITLEY AYE**

Case 2017-BZA-00080: City of Virginia Beach to a '0' foot front yard setback for a 6 foot fence and to waive the Category I Landscaping **5878 PICKERING ST** GPIN: 1468-10-4375

Board Action: APPROVED WITH 1 CONDITION ON JANUARY 3, 2018

Conditions:

1. The fence shall be maintained as to be structurally sound and free of rust or other such weathering.

Kevin Kemp, Zoning Administrator appeared before the Board representing the City.

There was no opposition.

A motion was made by Mr. Holland, seconded by Mr. Oglesby to approve the variance with 1 condition. All voted for the motion.

AYE 7 NO 0 ABSTAIN 0 ABSENT 0

GARRIOTT	AYE
HOLLAND	AYE
KOVNER	AYE
OGLESBY	AYE
PURKEY	AYE
SUTTON	AYE
WHITLEY	AYE

Case 2017-BZA-00007: David & Tina Mohr a variance to a 5-foot (west) side yard setback instead of 8-feet as required for uncovered landing and stairs; and to a 7.54-foot (west) side yard setback for the existing single-family dwelling and to a 5.29-foot (east) side yard for existing stairs and covered storage area instead of 8-foot each as required; and to a 17.89-foot front yard setback instead of 18-feet as previously granted as modified by the Board of Zoning Appeals on March 15, 1995 **306 53RD ST A** Zoning: R5R(NE) GPIN: 2418-79-4372

Board Action: APPROVED WITH 2 CONDITIONS ON JANUARY 3, 2018

Conditions:

1. The proposed stairway and landing shall be constructed in substantial adherence to the submitted site plan.
2. The existing stairway and landing, proposed west side stairway and landing and rooftop shall not be covered or enclosed.

Eddie Bourdon, Attorney with Sykes Bourdon Ahern & Levy appeared before the Board representing the applicant.

There was no opposition.

A motion was made by Mr. Purkey, seconded by Mrs. Kovner to approve the variance with 2 conditions. All voted for the motion.

AYE 7 NO 0 ABSTAIN 0 ABSENT 0

**GARRIOTT AYE
HOLLAND AYE
KOVNER AYE
OGLESBY AYE
PURKEY AYE
SUTTON AYE
WHITLEY AYE**

Case 2017-BZA-00070: Jill Sholl a variance to a 7.5-foot (north) side yard setback instead of 10-feet as required for a proposed attached garage addition **1828 SUNRISE DR** Zoning: R10 GPIN: 1469-46-3170

Board Action: DENIED ON JANUARY 3, 2018

Daniel Sullivan appeared before the Board.

There was no opposition.

A motion was made by Mrs. Kovner, seconded by Mr. Purkey to deny the variance. All voted for the motion.

AYE 7 NO 0 ABSTAIN 0 ABSENT 0

**GARRIOTT AYE
HOLLAND AYE
KOVNER AYE
OGLESBY AYE
PURKEY AYE
SUTTON AYE
WHITLEY AYE**

Respectfully Submitted

David Whitley
Secretary

lmr